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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13  
14 UNITED STATES OF AMERICA, ) No. CR 12-00762 DLJ  
15 Plaintiff, ) STIPULATION AND ~~PROPOSED~~  
16 v. ) ORDER RESCHEDULING HEARING  
17 RAMIRO MADRIZ-HERNANDEZ, ) DATE AND EXCLUDING TIME UNDER  
18 Defendant. ) THE SPEEDY TRIAL ACT  
19 \_\_\_\_\_)

20  
21 STIPULATION

22 The United States, by and through Special Assistant United States Attorney Meredith J.  
23 Edwards, and defendant Ramiro Madriz-Hernandez, by and through Assistant Federal Public  
24 Defender Robert M. Carlin, hereby stipulate that, with the Court's approval, the status hearing  
25 currently set for Thursday, May 16, 2013, at 9:00 a.m., be vacated and rescheduled for a change  
26 of plea hearing on Thursday, May 30, 2013, at 9:00 a.m.

27 Government counsel will be in trial on Thursday, May 16, 2013, and therefore is unable  
28 to make an appearance as currently calendared. Accordingly, the government respectfully

1 request that the time between Thursday, May 16, 2013 and Thursday, May 30, 2013 be excluded  
2 under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for continuity of government  
3 counsel. Defense counsel has no objection to the continuance.

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6 Dated: May 13, 2013

/s/  
MEREDITH J. EDWARDS  
Special Assistant United States Attorney

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8 Dated: May 13, 2013

/s/  
ROBERT M. CARLIN  
Assistant Federal Public Defender

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**[PROPOSED] ORDER**

Pursuant to the agreement and stipulation of the parties, the hereby orders that the status hearing in this case, previously scheduled for Thursday, May 16, 2013, at 9:00 a.m., be vacated and rescheduled for a change of plea hearing on Thursday, May 30, 2013, at 9:00 a.m. The Court further orders that the time between Thursday, May 16, 2013 and Thursday, May 30, 2013 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), that the failure to grant the requested continuance would unreasonably deny the government continuity of counsel. Furthermore, the Court finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: ۱۴۰۱ هـ

John Egan

**THE HONORABLE D. LOWELL JENSEN**  
United States District Judge